

**12817. Adulteration of butter. U. S. v. 3 Crates of Butter. Decree of condemnation entered. Product released under bond. (F. & D. No. 19058. I. S. No. 16863-v. S. No. E-4964.)**

On or about September 30, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 3 crates of butter, consigned September 24, 1924, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Deerfield Valley Creamery, Wilmington, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been wholly or in part abstracted.

On October 22, 1924, the Deerfield Valley Creamery Assoc., Wilmington, Vt., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

**12818. Adulteration and misbranding of vanillin. U. S. v. 65 Packages of Vanillin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18909. I. S. No. 16928-v. S. No. E-4918.)**

On August 15, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 65 1-ounce packages of vanillin, remaining in the original unbroken packages at Springfield, Mass., alleging that the article had been shipped by Hymes Bros. Co. from New York, N. Y., on or about June 20, 1924, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Package) "1 Oz. Vanillin Chemically Pure Hymes Bros. Co. \* \* \* New York."

Adulteration of the article was alleged in the libel for the reason that a substance, acetanilid, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous or other added deleterious ingredient, acetanilid, which might have rendered it injurious to health.

Misbranding was alleged for the reason that the statement "Vanillin Chemically Pure," appearing on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On October 28, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**12819. Adulteration of walnuts in shell. U. S. v. 40 Bags of Walnuts in Shell. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19051. I. S. No. 13291-v. S. No. E-4977.)**

On October 15, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 40 bags of walnuts in shell, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by G. Lagrange, from France, on or about November 21, 1923, and had been imported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On October 30, 1924, W. A. Camp & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, and the bad portion destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

**12820. Adulteration and misbranding of tablet triturates nitroglycerin. U. S. v. 89 Bottles of Tablet Triturates Nitroglycerin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19021. I. S. No. 13699-v. S. No. B-4950.)**

On September 30, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 89 bottles of tablet triturates nitroglycerin, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Hance Bros. & White, Inc., from Philadelphia, Pa., on or about February 17, 1923, and transported from the State of Pennsylvania into the State of New York and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "100 Tablet Triturates Nitroglycerin 1/100 gr. Distributed and Guaranteed by Morgenstern & Co. 31 Park Place New York City Factory Edgewater, N. J."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets contained not more than 0.0007 grain of nitroglycerin each, which is 93 per cent less than the amount declared.

Adulteration of the article was alleged in the libel for the reason that its strength fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statement "Tablet Triturates Nitroglycerin 1/100 gr." was false and misleading.

On October 31, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**12821. Adulteration and misbranding of lutein tablets. U. S. v. Morgenstern & Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 18365. I. S. Nos. 507-v, 1785-v, 2785-v.)**

On October 27, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morgenstern & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about April 27, April 30, and June 1, 1923, respectively, from the State of New York into the States of New Jersey, Massachusetts, and Pennsylvania, respectively, of quantities of lutein tablets which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of potato starch, licorice root, and celery seed, with very little, if any, *corpus luteum* or other animal tissue.

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard or quality under which it was sold, in that each tablet was sold as containing 5 grains of lutein and as representing approximately 20 grains of fully-developed *corpora lutea*, whereas, in truth and in fact, each tablet contained little or no lutein or *corpora lutea*.

Misbranding was alleged for the reason that the statements "5 Gr. Lutein (Corpus Luteum) Tablets \* \* \* Each tablet represents approximately twenty grains of fully developed *corpora lutea*," borne on the labels attached to the bottles containing the article, were false and misleading, in that the said statements represented that the tablets each contained 5 grains of lutein (*corpus luteum*) and that each of the said tablets represented approximately 20 grains of fully-developed *corpora lutea*, whereas each of said tablets did not contain 5 grains of lutein (*corpus luteum*) and each of said tablets did not represent approximately 20 grains of fully-developed *corpora lutea*, in that